

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
MAY 4, 1998 - 7:00 P.M.**

ROLLCALL Answering rollcall were Members Faust, Hovland, Kelly, Maetzold, and Mayor Smith.

CONSENT AGENDA ITEMS APPROVED Motion made by Member Maetzold and seconded by Member Faust to approve and adopt the Consent Agenda as presented.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

***MINUTES OF THE REGULAR MEETING OF APRIL 20, 1998, AND BOARD OF REVIEW MEETING OF APRIL 20, 1998, APPROVED** Motion made by Member Maetzold and seconded by Member Faust approving the Minutes of the Regular Meeting of April 20, 1998, and the Board of Review Meeting of April 20, 1998.

Motion carried on rollcall vote - five ayes.

RESOLUTION APPROVED FOR VACATION OF PUBLIC DRAINAGE/UTILITY EASEMENT (6533 PARNELL AVENUE) Affidavits of Notice were presented, approved and ordered placed on file.

Presentation by Engineer

Engineer Hoffman stated the property owner at 6533 Parnell Avenue is proposing to expand his garage and the new proposal would extend onto an existing utility and drainage easement. This request has been reviewed by NSP, USWest, Paragon Cable, Minnegasco and City staff. The request is acceptable to all parties and staff recommends vacation of a portion of the utility and drainage easement.

No public comments were received.

Member Maetzold introduced the following resolution and moved its adoption:

**RESOLUTION VACATING EASEMENT
FOR UTILITY AND DRAINAGE PURPOSES
LOT 2, BLOCK 1 - NORMANDALE-KREISER REPLAT**

WHEREAS, a motion of the City Council on April 6, 1998, fixed a date for a public hearing on a proposed vacation of an easement for utility and drainage purposes; and

WHEREAS, two weeks published and posted notice of said hearing was given and the hearing was held on the 4th day of May, 1998, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said easement vacation be made; and

WHEREAS, the Council considered the extent the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of

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any person, corporation, or municipality owning or controlling electric, telephone, or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation to continue maintaining the same, or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following described utility and drainage easement be and is hereby vacated effective as of May 4, 1998:

The easterly five (5) feet of the Southerly one hundred two (102) feet of the Westerly ten (10) feet of LOT 2, BLOCK 1, NORMANDALE-KREISER REPLAT, according to the recorded plat thereof, Hennepin County Minnesota, as donated and dedicated by said plat of NORMANDALE-KREISER REPLAT.

BE IT FURTHER RESOLVED, that the City Clerk is authorized and directed to cause a notice of completion of proceedings to be prepared, entered in the transfer of record of the County Auditor, and filed with the County Recorder, in accordance with Minnesota Statutes, Section 412.85.

ADOPTED this 4th day of May, 1998. Member Hovland seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Resolution adopted.

ACTION CONTINUED UNTIL JUNE 1, 1998 FOR CONDITIONAL USE PERMIT AND VACATION OF PORTION OF WEST 69TH STREET APPROVED (CHRIST PRESBYTERIAN CHURCH (6901 NORMANDALE ROAD) BUILDING AND PARKING LOT EXPANSION, GENERALLY LOCATED NORTH OF WEST 70TH STREET AND EAST OF HIGHWAY 100)

Mayor Smith opened the public hearing by saying that the public hearing will focus on land use only. He quoted from one of many letters the Council and staff have received concerning the controversy surrounding Christ Presbyterian Church's (CPC) request by stating, "I would never have imagined the proposed expansion would have inspired such vehement and what appears to be small-minded opposition. I was fearful the naysayers would intimidate the Planning Commission and I therefore applaud the Commission's unanimous vote to recommend adoption of the Church's most recent approval. If there remain those who cannot see beyond their own backyard views, and vehicle counts, to tolerate, if not to embrace the needs of CPC's congregation and the broader community groups it supports, they should be pitied for this parochialism. Edina should not let this sort of smug 'we've got ours' sentiment carry the day on this important issue." He reminded those in attendance again that the issue tonight is land use, not the developer's popularity, or the church's programs. Mayor Smith pointed out the recommendation of the Planning Commission as an advisory group to the Council to approve the Conditional Use Permit with seven conditions. He explained he has personally sat in a Police Squad observing the area on a Sunday morning as well as watched other Council Members walking the site and neighborhood. The Planning Commission's views are advisory, they are not binding on the Council and the final decision is the Council's.

Mayor Smith said the process being followed will be: 1) the Church's presentation, 2) City staff's presentation of the Planning Commission results, conditions and procedures, 3) Council concerns and questions of the proponent, or the Planning Commission, 3) the

Woodhill Neighborhood Association comments, 4) Resident comments and, 5) Council discussion. Mayor Smith noted many letters have been received, copied and distributed to the Council .

PROPONENT'S PRESENTATION

Peter Jarvis, of Laukka Jarvis, said he is representing Christ Presbyterian Church with their request for a Conditional Use Permit allowing building expansion on the northeast quadrant of Highway 100 and 70th Street. Three other persons will speak to this proposed expansion. Polly Bowles, a member of the CPC Steering Committee and the neighborhood liaison, would explain the process followed in the last four years culminating with the decision made by Session (CPC's governing body). While programs of a church may not be the business of Council, it is ultimately a programmatic issue that leads to a physical need for expanded facilities. Mr. Jarvis would explain the evolution of the final site plan. Gary Tushie, Tushie and Associates, would present the architecture of the proposed expansion and Jim Benshoof, would present results of the traffic impact analysis completed on the area.

Polly Bowles elaborated on the chronology of CPC's internal decision making process:

1993 - 1995 CPC studied eight long-range planning options and decided to stay at its current site and maximize the facility usage with creative programming. (Full Informational Booklet for the Proposed Expansion of Christ Presbyterian Church is on file in the office of the City Clerk.)

1996 Steering Committee formed - process of prayer, study and congregational input to maximize facility changes to equip CPC for ministries for which it was called. Other options tried were, e.g., rescheduled services, changed timing of youth programming and location, adjusted use of space, fellowship held in different location, and both the renting of Cornelia School and busing from the parking lot of Cornelia School.

January 1997 - July 1997 Session unanimously adopted Steering Committee's recommendation to undertake a capital campaign to expand CPC's facilities. Informational communications were sent to members and neighbors of the impending process and seeking input. Goal of the campaign was completed with initial pledges of \$5.4 million.

July 1997 - December 1997 CPC developed design alternatives providing facilities to meets needs, address concerns of neighbors, and one that would be financially feasible. The Woodhill/Edina Association was kept apprised of CPC's time-frame for neighborhood meetings. Session voted in December to endorse incurring up to \$3 million additional debt to complete Phase I as soon as possible.

January 1998 - February 1998 CPC's congregation voted to pursue building the proposed expansion and to incur the additional \$3 million debt. Before approaching the City of Edina for necessary permits, CPC, and the Woodhill/Edina Association Board, scheduled a second round of neighborhood meetings to discuss CPC's design alternatives. Individual neighbors immediately adjacent to the proposed expansion met to discuss design alternatives and any personal concerns.

Ms. Bowles concluded that some neighbors still feel frustrated their expectations have not been met. Both the Association and CPC are dealing with volunteers and matching erratic schedules has been a challenge. She reiterated the sincerity of CPC and their efforts. One neighborhood concern was that the neighborhood should have had the opportunity for input

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into the eight options and not a building proposal. Looking at the options and how they affect CPC, they involve how the church worships, fellowships, educates members, serves the community and how it budgets its resources. Those questions relate to the religious core of the church. The only appropriate place to address those decisions is within the church. When a building proposal came forward, that was the time to involve the neighborhood and solicit their input. Negative comments received included: "no change is acceptable" and "why not cap membership". Many valid positive comments were received as well. The design being presented by Peter Jarvis is responsive to neighbors comments.

Peter Jarvis stated in late spring of 1997, the first preliminary site and architectural plans were presented to the neighborhood. Mr. Jarvis presented a graphic depicting the expansion oriented to the west side of the property running in a north/south direction paralleling Highway 100. The parking lot cascades down the hill in a north/south direction with the southwest corner of the site the lowest point. The plan represents the relocation of 69th Street from the curve between Brittany and Dunberry west to the frontage road. The first proposal contemplated a parking lot expansion giving easements to the neighborhood in favor of the City, for emergency access purposes that Mr. Jarvis referred to as a cocoon solution. The opposition to the plan dealt with visual impact of the parking lot, protrusion north of existing 69th Street, expanse of asphalt and sanctuary size. Mr. Jarvis added this was never proposed to be a mega-church. Three sanctuary plans were proposed with different seating configurations. Phase I would be the sanctuary expansion. Phase II was included on the plan and would be completed in 5-7 years. Phase II would consist of child/adult education rooms and administrative offices and CPC wanted it included on the master plan.

Mr. Jarvis showed a graphic comparing the proposed expansion of CPC and other larger Edina churches such as Grace Church with worship capacity at 1100 (up to 1500 expansion). CPC's proposed expansion would be at 1092 (up to 1238 for expansion). The April 1997 neighborhood meeting dealt mainly with the mega-church. The plan was further criticized for lack of perimeter conditions and lack of property maintenance. The design team was resurrected, a landscape engineer was brought in as well as a traffic engineer and data began being collected. A six month redesign process ensued with architectural, structural, size plan/landscaping and pricing with the general contractor. Four alternatives came from the redesign process. The four alternatives were presented to the Planning Commission following meetings with the neighborhood Board of Directors and neighborhood.

Mr. Jarvis explained design drawings outlining CPC's planned two-phase expansion. Phase I would include a new fellowship hall and associated support spaces in the lower level (12,450 s.f.) with of new sanctuary at the main level (12,450 s.f.), the new balcony above the sanctuary in the upper level (6,380 s.f.) and a remodeling of the existing sanctuary into a new narthex and support spaces. Phase II consists of mechanical and storage spaces in the lower level (9,780 s.f.), new offices, library, and classrooms at the main level (9,780 s.f.) and a new counseling center and classrooms at the upper level (9,120 s.f.).

The architectural expansion reinforces the existing colonial character of the existing building with both additions matching existing exterior materials such as brick, shingles, windows,

dormers, etc. The simple but strong forms and details would enhance the church's position as a landmark within the community and neighborhood.

In addition to the building expansion, the parking lot is reorganized with expansion to the north – including a vacated 69th Street. The access to 70th Street has been moved as far east as possible and is designed to allow the maximum car stacking and easy access in and out of the church property. All four site plan options contain the parking lot layout and are essentially the same except the north area treatment. The four options are as follows:

OPTION 1 - contains a 647-space parking lot with an eliminated 69th Street which facilitates ease of movement in and out of the neighborhood.

OPTION 2 - depicts 647 parking spaces as well. It does not allow movement between the church parking lot and neighborhood, except for emergency vehicles. The plan would also eliminate 69th Street.

OPTION 3 - shows a 546 space parking lot, relocation of 69th Street to the CPC's north boundary. A 50' right-of-way is provided with a new 24' wide street posted NO PARKING that CPC would build and publicly dedicate to the City. Access would be provided between the new parking lot and neighborhood via the relocated 69th Street.

OPTION 4 - presents an option identical to Option 3 except the driveway from the parking lot to 69th Street is eliminated. This would minimize traffic between the church and neighborhood.

Landscaping on the site would provide a thick border of 12' - 14' spruce trees at the east and north property lines, which provides attractive screening of the parking lot from the neighbors. Landscaped islands have been introduced into the parking lot to create pods or smaller parking areas to minimize the impact of the entire parking area. Lighting has been added to the parking lot as well but kept to a 19' 6" pole height and a fixture chosen to eliminate direct glare to surrounding homes.

Mr. Jarvis stated Edina staff concluded on February 25, 1998, that Option 1 and 3 were acceptable from the Planning, Public Works, Fire and Police Departments' standpoint. The Planning staff report recommended Option 3 for approval to the Planning Commission. Following the Planning Commission meeting, CPC believed they needed to revisit the site and attempt compromises with their land. Then meet with the neighborhood Board of Directors and ultimately the neighbors, taking into consideration their compromises before again meeting with the Planning Commission on April 15, 1998. Following February meetings with Steve Brown of the Board of Directors and after his meeting with the neighborhood, the consensus was that the neighborhood wanted no change to 69th Street. When the Board of Directors were asked about architectural or site planning changes to any options they had seen, they suggested they would rather react to any additional plans rather than suggest what CPC does.

Following an additional meeting between CPC and the Woodhill Association Board of Directors, a compromise plan was drawn. The plan was presented to the Woodhill Association Board and the neighborhood on March 26, 1998. Option 5 now focuses on the north end. Deep concern was expressed by the neighborhood regarding the removal of three homes and creation of a parking lot. If the road was curved to the south and preserved, one

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of the two lots facing Brittany would cut the visual intrusion along Brittany in half. Acquisition of the Marty property was required to accomplish Option 5. The plan creates two new lots and no net loss in housing. The home owned by CPC on Brittany is also being refurbished. This proposal reduced parking places from 640 to 540.

Mr. Jarvis stated the Planning Commission and staff reviewed the plan. Two changes were suggested, 1) eliminate access to 70th Street and relocate access to where it is today or north of the circulation road on the west side of the parking lot ; 2) eliminate curb cut on 69th Street and relocate it as it is today on the frontage road. Option 5 also increased additional green space. Mr. Jarvis said he had a further recommendation for the curb cut on 70th Street from the Planning Commission that would be discussed at a later time.

Mr. Jarvis presented graphic scale drawings depicting the proposed dense plantings on the berms. Plantings depicted would be actual size at time of planting. He reminded the Council that Phase II is depicted on the drawings, but CPC has no plans to build Phase II for 5 - 7 years.

Gary Tushie, Tushie and Associates, reviewed the proposed floor plans and exterior building elevations of Phase I. The proposed main level would include the sanctuary to the south, a new entrance into the old sanctuary which will be converted into a narthex. Two stairs lead to the balcony and down to the lower level fellowship hall and additional meeting space. A new elevator is proposed to serve all three levels and would connect to the north part of the church. Coat room storage and a kitchenette would also be included on the main level. Enclosed storage off the proposed west side will be used to house buses and outside equipment.

LOWER LEVEL:

The lower level expansion below the sanctuary would be utilized for a new fellowship hall, a relocated kitchen, bathrooms, classrooms, choir room and be re-connected into the existing fellowship hall. The lower level would exit southerly at grade to an outdoor patio with numerous plantings.

EXTERIOR ELEVATION:

The exterior elevation looks west towards the church with new dormers added to the sloped roof and a new steeple.

TOP ELEVATION:

East side - looking west the plan depicts the proposed Phase I sanctuary, existing sanctuary and existing office and classroom space proceeding north.

SOUTH ELEVATION:

Depicts the proposed new porte cochere or new foyer drop-off area of the narthex.

Materials would match or compliment materials to the colonial character, Jeffersonian influence, existing building, both in brick and siding. The new steeple would be an add-alternate and similar to the steeple on the existing church.

Jim Benshoof, Benshoof & Associates, Inc., Transpiration Engineers and Planners, presented results of a traffic and parking study associated with the proposed expansion of Christ Presbyterian Church.

Mr. Benshoof presented the following:

1. Background and Purpose:
 - Collected a substantial amount of data
 - Established post-development traffic and parking forecasts
 - Analyzed traffic and parking effects of the proposed expansion program with focus on if expansion program can be accomplished without causing adverse impacts on nearby neighborhoods.
2. Description of Data collected:
 - Extensive data collected on 70th Street to the south; Frontage road to the west and residential streets of 69th Street, Brittany Road and Dunberry Lane to the north and east
 - Data collected during hourly traffic volumes for residential streets; trips from church Sunday, Tuesday, Wednesday church activities; parking accumulation in lots during Sunday, Tuesday and Wednesday church activities; on-street parking during Sunday and Tuesday church activities; and neighborhood trips through the lot to 70th Street.
2. Description of Analysis Performed:
 - Projected post-development number of trips to and from church and parking during Sunday activities for four access options.
 - Projected future Sunday daily traffic volumes for residential streets north and east of the church
 - Projected future parking demand
 - Analyzed traffic and parking projects whether functions could be adequately accommodated without adverse impacts on nearby neighborhoods.

Conclusions:

- Existing Traffic Volumes:
 - * Brittany Road/ Dunberry Lane - Traffic volumes well within normal range for residential streets all days of week. Volumes are higher Sundays, Tuesdays and Wednesdays but within normal levels
 - * 70th Street (East of church driveway) - Sunday is busiest day but the volume is still only one-half of weekday morning peak volume or one-third of weekday afternoon rush.
- Existing On-Street Parking
 - * Some on Sunday and Tuesdays
 - * Existing Congestion on 69th Street - Church users park on both sides of 69th during peak periods which interferes with travel between Frontage Road, the neighborhood or church.
- Typical neighborhood trips through Church lot - 29 trips from Dunberry or Brittany daily

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- Post-development traffic on 70th Street (East of Church driveway) expected to remain well below volumes during weekday AM and PM peak hours
- Post-development Sunday Daily Traffic Volumes on Brittany/Dunberry show existing Brittany at 509 and Dunberry at 266. Option 3 would see a slight increase to 560 for Brittany Road and 300 for Dunberry Lane. With Option 4, traffic would be 390 daily trips on Brittany and 200 on Dunberry
- Adequacy of Church Driveways to Provide Sufficient Capacity for Entering and Exiting Traffic, 70th Street will provide adequate capacity for Church traffic for 1) driveway upgrade providing standard traffic lane alignments and widths, 2) Police officer will continue to provide safe/effective traffic operation
- Other Effects on Neighborhood - Any of proposed options eliminate need of on-street parking on residential streets; Options 1,3 & 4 preserve access between neighborhood and Frontage Road, Option 2 does not; Options 1 & 3 preserve opportunity for neighbors to drive through Church lot to 70th, Options 2 & 4 do not. All four options eliminate existing 69th Street congestion.

Mr. Benshoof concluded the expansion program as presented would effectively meet traffic and parking needs. No adverse traffic impacts would be experienced on neighborhood streets and neighborhoods would gain a benefit from existing conditions through the prohibition of on-street parking on the neighborhood streets by Church users.

Peter Jarvis noted that CPC is willing to enter into a Conditional Use Permit with all conditions as recommended by the Planning Commission. As a result of the requirements regarding deed restrictions, and to insure control of the sale of property, Attorney Gilligan was requested to prepare a legal framework memorandum dealing with the HRA being the City's agent with these restrictions. These restrictions would cover the sale of the two parcels as well as the plot proposed to be subdivided.

Mr. Jarvis added the Church would enter into an agreement: 1) that insures reconstruction of the relocated 69th Street meeting City standards and rededicated back to the City., 2) that the Marty house and the house south of Brittany and 69th would be sold after they are refurbished, and 3) Two new buildable lots would be created subject to approval of the Planning Commission and Council.

If approval is given, the street would be reconstructed between June and September at the new location with proper utility and service connections run to the proposed two lots. Landscaping would need to be completed before May 30 or not until fall. The two homes and two lots would be marketed in August/September as well. Site staging would be done in late summer and parking lot completed in two phases. Landscaping will be on the north side of the property first then on the easterly property line. A bond will be posted in the amount of \$34-\$36,000 for the relocation of 69th Street.

Mr. Jarvis continued stating NURP (National Urban Runoff Program) affects every development requiring rate and quantity of runoff so post development is substantially similar to pre-development condition. Initially the pond was to be located in the southwest corner but would have required removal of 20 oak/maple/ash trees. One suggestion has

been to contact the Mn/DOT to check if the site could use the excess capacity on the other side of the freeway. Staff and the Watershed District have worked out a verbal agreement that would be acceptable if the Council concurs. Some water storage would be on site also.

Mr. Jarvis expressed his belief that CPC has responded to the neighborhood concerns. However, it has failed to get the Woodhill Board support vote for the compromise plan. He added the plan will have less impact especially on the immediate neighborhood. An overall positive impact on the Edina community by: 1) improving the ugly existing parking lot with internal landscaping, 2) expansion of lot by 200 spaces eliminates on-street parking in neighborhood and 70th Street, 3) landscaping and a change of grade with a wall of green from day one, and 4) dramatic re-lighting down to 19½ feet with light source that is invisible off site, similar to the lighting on Parklawn near Centennial Lakes. Mr. Jarvis stated churches are an asset to the community. He said most good realtors would say there are three important things for a residential neighborhood: churches, schools and parks. Mr. Jarvis told about a planned community, Columbia, developed in the east. Sociologists wrestled with developing infrastructure to include parks, schools and churches immediately, so prospective residents would not need to worry about them. Edina is blessed with great schools, churches and parks. In conclusion, Mr. Jarvis urged the Council's approval of CPC's proposed expansion allowing them to play a part in this community

PRESENTATION BY PLANNER:

Planner Larsen reminded the Council that the Planning Commission recommended approval conditioned upon:

1. Vacation of existing West 69th Street right-of-way, and dedication of new right-of-way as illustrated on the revised site plan (option 5).
2. Developer's Agreement covering cost and providing security for construction of the new street.
3. All necessary permits from Nine Mile Creek Watershed district and Mn/DOT (DNR).
4. Modification of curb cuts on northerly portion of the site as recommend by the Director of Public Works.
5. Curb cut on West 70th Street should remain where it is today or be moved further west as determined by the Director of Public Works.
6. The subdivision and replatting of lots north of the relocated West 69th Street.
7. No portion of Phase II construction can commence until replatted lots are sold with deed restrictions.

Planner Larsen explained that certain actions have taken place addressing conditions 4, 6, and 7 since the Planning Commission met as follows:

- Condition 4. Site plan (option 5) has been modified adjusting the curb cuts as recommended by the Director of Public Works.
- Condition 6. The church made application for subdivision of the properties north of the relocated West 69th Street. The Planning Commission will consider the proposed subdivision at their May 27, 1998, meeting. The proposed subdivision proposes two new lots fronting on West 69th Street.

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- Condition 7. A memorandum from Attorney Gilligan addresses the platting, sale and future use of the properties located north of the relocated street has been drafted.

Planner Larsen concluded what is before Council tonight is action on the Conditional Use Permit allowing the expansion of Christ Presbyterian Church physical plant and expansion of the Church's parking lot. He reminded Council a three/fifths favorable vote would be needed to proceed. Following action on the Conditional Use Permit, action would be needed on the proposal to vacate West 69th street and rededicate the street northerly of its present location. Future actions by either the Planning Commission or Council would be to consider the subdivision north of relocated 69th Street.

Attorney Gilligan said responding to the Planning Commission's condition insuring that the lots are sold for residential uses and after discussing the subject with staff he prepared a memorandum outlining the Development Agreement that would be entered into between the Edina HRA and Christ Presbyterian Church covering the residential lots north of 69th Street as follows:

Development Agreement would provide:

1. Lots platted in a timely manner;
2. Church would have a reasonable period of time to sell lots for residential use (24 months or until commencement of Phase II whichever occurs earlier);
3. If lots do not sell within set time period, lots would be forfeited by the Church to the HRA;
4. Lots forfeited to the HRA would be sold by the HRA for development of single family residences and proceeds received by HRA from such sale less expenses by HRA would be paid to the church;
5. Deed transferring title to any lot would contain restrictions which will run in favor of the HRA and provide that the property may not be used for church purposes or any other use which would cause the property to be exempt from real estate taxes. The deed restriction would be recorded whether the lot is sold by the Church, or forfeited to the HRA and sold by the HRA

Attorney Gilligan said the Development Agreement would be recorded in the real estate records as a lien against the property. The Developers Agreement will provide that the property will not be released by the HRA until the sale of such lot, with the required deed restriction, and furnishing to the HRA evidence satisfactory to the HRA, that the purchaser intends to construct a single family residence on the lot, and has secured construction financing, or has sufficient available funds for this purpose.

The HRA would have broad authority to provide for housing and other development in the City and the Development Agreement will recite that it is being entered into in furtherance of this purpose in order to ensure development of the lots from single family housing in a timely manner. All costs related to the Development Agreement will be required to be paid by the Church. The provisions as to forfeiture of title to the property is similar to what was required by the HRA in the Redevelopment Agreements for the Edinborough and Centennial

Lakes projects and is a fairly standard provision in redevelopment contracts with development authorities.

WOODHILL ASSOCIATION BOARD OF DIRECTORS PRESENTATION:

Steve Brown, representing the Association, but not speaking for all of the Association, stated the neighborhood supports the church and believes it is a community asset. This is not an issue of religion, it is land use issues and adherence to the Comprehensive Plan, impacts of continued growth on the neighborhood, alternative options, and real compromise. The Association has received gratuitous updates at best from the church. The Association would like strict adherence to the Comprehensive Plan. The Association also does not want a relocation of 69th Street nor do they want demolition of any homes.

Mr. Brown gave a chronology of Christ Presbyterian's progress:

- 1957 Church bought lots to build
- 1968 Church expanded sanctuary
- 1973 Undeveloped lots were donated to Church
- 1978 Church attempted to create parking lot north of West 69th/CPC withdrew proposal due to strong neighborhood opposition
- 1981 Highway 100 changed traffic patterns
- 1989 Church added 29,000 s.f. to their campus and parking agreement added 170 parking stalls
 - Letter from Rev. Virgil Lee, CPC's Minister saying impact on neighborhood will be minimal
 - Letter from Vic and Sally Hall stating it is not CPC's intent to increase membership where it would be a detriment to the neighborhood. Expansion approved subject to conditions and was the foundation for the parking agreement in place today. Additional parking capacity exists today within the site within that plan around approximately 170 stalls.
 - Comment from Bill Hall (CPC building committee) referring to CPC's plans for northern lots that had been proposed to be parking lot in 1978 and the church acknowledged this was not a good idea and was insensitive to the neighbors. Property was held for investment and the church would consider selling if they obtained a good offer.
- Bill Hall of CPC Building Committee at July Council meeting referred to CPC's plan for northern lots that had been proposed to be a parking lot in 1978
- 1991 - Church applied for a Conditional Use Permit for the construction of parking on the vacant land north of West 69th Street .
 - Denied by the City with following comments: 1) proposal disturbs me. I remember very clearly two years ago when CPC requested a Conditional Use Permit to remodel their existing facility, they indicated at that time they would not cross 69th Street (Former Commissioner Nan Faust); 2) This is a residential neighborhood and the church has not investigated all alternatives that were to be implemented with their previous proposal. The growth of a church should not 'swallow' a neighborhood and if the church is experiencing such growth, maybe they should consider relocating." (Commissioner Helen McClelland).
- 1994 Four homes purchased to date for CPC's investment of \$778,500

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1997 Neighbors contacted by CPC about plans

Factual Review: Increase building area to 131,084 s.f. (Phase I and II)
Membership: 54% Edina
90% 5 mile radius
5% in 55435 Zip Code

Traffic & Safety: 1) Access to park must cross 66th or 70th Streets, 2) Streets are neighborhood sidewalks, 3) Kids play in streets, 4) Cornelia School traffic committee formed, 5) Hilly terrain affects visibility

Daily Traffic Counts - West 70th Street

1986 - 12,100

1997 - 21,500 (66% increase in 9 years) Problems will only increase, CPC adding to problem, CPC not primary reason, and why exacerbate problem.

Traffic out from Brittany, 62 trips per day - projected 100 - increase 61%
in from Brittany, 86 trips per day - projected 134 - increase 57%

Traffic out to Dunberry, 83 trips per day - projected 135 - increase 61%
in from Dunberry, 27 trips per day, projected 38 - increase 41%

Traffic in 70th from W, 441 trips per day, projected 683 - increase 55%
out 70th to W, 375 trips per day, projected 595 - increase 59%

Traffic in 70th from E, 80 trips per day, projected 127 - increase 59%
out 70th to E, 147 trips per day, projected 204 - increase 39%

Commercial Property in Area:

Industrial 900,000 s.f.

Retail 2,700,000 s.f.

Office 3,500,000 s.f.

1,000,000 s.f. planned or under construction

Mr. Brown explained that Option 5 is NOT 1) consistent with the Comprehensive Plan, 2) consistent with "Growing Small", 3) in the best interest of the neighborhood, 4) a win-win proposition and 5) a compromise. He added 1) no physical structure has been changed, 2) the plan still shows relocation of West 69th Street to the north, 3) the plan is to still demolish three homes, 4) loss of extensive greenspace for parking lot and 5) no assurances that this is the end of CPC's expansion plans.

Recommendations by the Board of Directors are as follows:

A. Settlement of differences by arbitration or by consent reached by mutual concessions by blending of qualities of two different things

B. Bind by mutual agreement to adjust or settle by mutual concessions to come to agreement by mutual concession

Mr. Brown stated 200 signatures had been gathered imploring the Council that:

- West 69th Street stays in current location
- Expansion is allowed only on existing site
- No church parking allowed on West 70th at any time
- No church parking allowed on West 69th, Dunberry, Brittany or Normandale except on Sundays
- Homes and lots north of 69th are sold prior to construction on exiting site

- Restrictive covenants are put in place on all homes and lots north of 69th as single family for 40 years
- Landscaping and lighting is as proposed
- Curb cuts installed as recommended by the Planning Commission

Mr. Brown asked the Council to be visionary and anticipate the long term impact of the proposed expansion and to use common sense about the impending safety risks. He asked that an end be put to this issue for good and that Christ Presbyterian Church explore other solutions. He asked that the proposal receive a no vote from the Council.

COUNCIL COMMENTS:

Mayor Smith noted a pressing problem in this town is traffic. Where a family had one car, now there are two. He asked clarification of Sunday traffic on West 70th Street at a projected 71% increase and evening traffic at 50%. Mr. Jarvis clarified the 71% figure is only an increase during the weekday peak hour. Mr. Benshoof affirmed during the Sunday church peak time, traffic is significant. A need exists for Police control to accommodate traffic movements and to insure safety even after the expansion program. He does not anticipate change in terms of quality of service on and off 70th Street. Mr. Jarvis added the image of 70th Street is different to each person. He asked the exhibits be examined carefully (post development Sunday trips, to and from church section, 8:00 A.M. to 12:40 P.M. - 4 ½ hour period) and noted the number is the percentage of comparison between the interchange with the freeway and the church parking entrance, not east of the entrance.

Member Maetzold asked to what extent the expansion is driven by the need to contemporize church design. What is driving the Phase II expansion, modernizing church design or church growth. Mr. Jarvis said this is the first expansion proposed in 30 years and he would anticipate it is the maximum addition for administrative and classroom space, and built in response to anticipated growth at approximately 5%. Construction of Phase II is projected in 5 - 7 years. The narthex is considered a gathering space for fellowship to take place comfortably. Gary Tushie said much of the design is not driven by expansion needs but by programming and CPC's philosophy. Having services on a Friday or Saturday may be common in other churches, but CPC wishes to feel more like a community with less services on Sunday and everybody under one roof.

Member Faust reminded Council she has been looking at CPC for ten years. She asked the present width of 69th Street; if a 24 foot road was their desire; would it include curb and gutter, and what would be the estimated cost. Engineer Hoffman answered 69th Street is currently a 30 foot road and if relocation of the street at 24 foot is approved, parking would be prohibited on both sides. The road would include curb and gutter and cost approximately \$40,000. Member Faust asked if the City usually gives land away to developers. Planner Larsen referred to the vacation of the existing right-of-way that, 1) vacate when no public purpose exists for the right-of-way and 2) this would be a trade of existing right-of-way for replacement right-of-way. Member Faust asked for clarification on the replacement right-of-way is 6 ft X the length of the road less than the City's portion. Planner Larsen explained the modest difference in the existing 69th Street right-of-way is 60 feet and the right-of-way for the proposed street is 50 feet or 10 feet narrower in the part the public controls. Attorney

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Gilligan said the City does not own the land but have a right to use if for street purposes. We can't sell it but we can vacate it in exchange for another dedication of another right-of-way.

Member Kelly asked what change has been made to the building footprint in response to the neighborhood. Mr. Jarvis that answered from April 1997 to December 1997, the sanctuary size has been reduced by 14%, the basement level reduced by 14%, the balcony size reduced by 3%, and the sanctuary seating reduced from approximately 1100-1260 to 951 while the architecture remains the same. The total reduction in the Phase I proposal was 12% in direct response from neighbors input. Member Kelly asked when Options One through Four were presented. Peter Jarvis said the Master Plan was presented to the neighborhood at two meetings in April 1997. Changes took place on the Plan from July 1997 - December 1997 when a complete redesign process was completed. The redesigned plan was presented to the neighborhood and the Planning Commission in January, 1998.

Steve Brown reiterated since the neighborhood has been involved the plan for the physical building has not changed.

Member Hovland asked how long will CPC's growth rate be at 7-8% and what is the projected time capacity will be reached at the present location. Ms. Bowles said an anticipated capacity would be difficult to forecast, but the proposed facility will meet today's needs and allow flexibility with the church's programming. The church has committed to this location indefinitely and the financial investment is huge. If capacity were ever reached, other options would need to be considered such as relocation or satellites.

Mayor Smith inquired what regulations relate to building height and mass in this situation. Planner Larsen said there are no regulations relating to height of the steeple. Buildings in this zone are limited in height to 40 feet. He referred to the original staff report that pointed out the building measures at 43 feet requiring a 3 foot height variance or similar to the main sanctuary at the Colonial Church complex.

Member Maetzold asked besides the 3 foot height variance does the remainder of the proposed expansion comply with our Comprehensive Plan, the Watershed District, etc. Planner Larsen said the proposal complies with the Zoning Code and approval of the Watershed District would follow Council action.

Member Faust asked what if any variances would be required on the original 6.8 acre site. Planner Larsen said the same height variance would be required. The Code has two layers with parking; one space is required for each three seats of sanctuary plus enough spaces to handle concurrently occurring activities. The 950 seat sanctuary would require approximately 317 spaces at a minimum. 350 spaces exist in CPC's parking lot now with 33 handling concurrent activities. The lot is stressed now, and spills out into the neighborhood. He believes there may be a parking shortage and that a variance may be necessary in the future. In staffs' opinion keeping all parking on site is desirable and 200 additional spaces would add the necessary cushion.

Member Kelly asked if an hourly traffic study had been done on 70th Street. Mr. Benshoof pointed out two studies were taken at the church driveway location as related to traffic on 70th Street, but nothing broken down by hour. Member Kelly inquired whether a study had been done of traffic through neighborhoods. Mr. Benshoof said a traffic study was done in and out from 69th Street and traffic using Dunberry to the east or Brittany north but no count was made exiting onto 70th Street.

Member Hovland asked how much of the east hillside would be taken to create additional parking. Mr. Jarvis said very little as the lot will be elevated approximately 3 feet. Normally a parking lot would be placed 30 feet from the residential lot line. Today the asphalt edge is 45 feet from the property line. Code requires a setback of 10 feet and the proposal would place the landscaping at 30 feet. Member Hovland asked Mr. Jarvis if he was in concurrence with the curb cut remaining in the same location. Mr. Jarvis said CPC would work with Engineer Hoffman and construct the curb cut where the City wants it. Mr. Jarvis clarified that some Planning Commission members thought the curb cut lined up with the intersection of the frontage road. It never has lined up. The intersection is dead-on into the first lot. The proposal is to move it one lot and would create a problem for Mr. Barck with headlights shining into his home with every left turn. In the future he would see lights as they approach, but CPC has offered to plant sizable spruce trees in his front yard to block headlights. An unidentified man who lives east of Mr. Barck told the proposed change will also have an adverse affect on his home. Mr. Jarvis said the home the curb cut lines up with is to the west of Mr. Barck's property.

Mayor Smith asked if an inventory was done on the development as it exists or consideration given to tearing down and reconfiguring the structure for ultimate efficiency. Mr. Jarvis commented that in the 1994-95 analysis, an unbelievable amount of inventory has been done of every square foot of the building, i.e. how is it used, what time of day is it used, for what function is it used, and by what age and group type is it used. The same inventory was done with parking and landscaping. Mr. Jarvis emphasized the building is used efficiently. Mayor Smith asked if the first sanctuary could be razed and rebuilt as two stories. Mr. Jarvis said code would not allow rebuilding because of the taking of land, in the 1970's by Mn/DOT. A portion of the east side of the building, none of which is affected by the current proposal, no longer meets the setback requirement of 50 feet after the land was taken. Tearing down functional space and replacing it with a taller building does not seem like more space would be created and would be very costly.

Member Maetzold asked what traffic on 70th Street and the neighborhood will look like in 5 - 7 years based on CPC's steady growth. Mr. Benshoof said forecasts for post development volumes focus on Sunday and account for changes/increases associated with CPC traffic. Other development in the area whether it be retail, office, or residential, the increase in traffic volumes on 70th Street are principally weekday related traffic generation. Member Maetzold asked if a detrimental increase in traffic would be generated by CPC in 5-7 years. Mr. Benshoof replied not in terms of impacting 70th Street to the east. The increase would principally occur between the driveway and Highway 100 interchange. The level of increase of church traffic on a Sunday morning east of the driveway along the residential area to the

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east on 70th, is about 100 vehicles in a 4 ½ hr period from 8:00 A.M.- 12:30 P.M. 100 vehicles spread over that time span is quite indistinguishable.

Member Hovland asked what the average traffic volumes are for streets in the Woodhill area. Engineer Hoffman said typically volumes would be 200 - 500 trips per day. Maple Road is 1000 cars per day; Country Club area at approximately 300; Wooddale 2000; Arden and Bruce 300 - 700. People begin to notice traffic when volumes reach 500 and at 1000 cars per day. At 1000 residents begin talking about STOP signs, and more street control. With implementation of ramp meters, residents are using neighborhood streets rather than freeways. Traffic on 70th has increased dramatically. Member Hovland asked if data was available detailing the increase has been on an annual basis in residential neighborhoods. Engineer Hoffman said consultants the City has used say the volume has increased from 8-10 trips per household to 13-14 trips per day per household.

Member Maetzold asked if the CPC proposal is approved, would Phase II come back for approval at a later date. Member Larsen said the proposal is for Phase I and Phase II.

RESIDENT COMMENTS:

Eugene Huntstiger, 4809 Roycar Road, asked if the proposed relocation of 69th Street includes sewer, water and gas. Engineer Hoffman said if the vacation is approved and the street is moved, staff would recommend maintaining rights for sewer and water and rights for Minnegasco, USWest, Paragon Cable and NSP to maintain their facilities. If CPC wanted the utilities moved the cost of the move would be CPC's.

John Rogan, 4720 West 70th Street, twenty year resident, suggested traffic could go east go across Highway 100 and come down the service road onto Highway 100, or east or west on 70th, or onto the frontage road south. He further does not agree with taking property off the tax roles. The church should build on the existing footprint. He asked why not have Saturday services now rather than later.

Ann Oliver, 4509 Laguna Drive, 12 year resident, said there is a significant increase in traffic during rush hour when CPC does not schedule programming.

John Hoyt, 4812 Dunberry Lane, lives in the third closest house to CPC. He has written two letters to the Council regarding the proposed expansion. He noted, 1) no one from CPC has visited them, 2) CPC wants to reduce Sunday services from 3 to 2, representing an immediate peak increase in traffic, and 3) he has no objection to parking on Dunberry as long as they don't drive on his grass.

Evelyn Ray, 4801 West 70th Street, said their objection to the proposal is traffic during rush hour. They cannot open their front windows because of noise and traffic. If an emergency were to occur during rush hour, it would be impossible to get out of their driveway for help. Ms. Ray schedules appointments with clients after 9 A.M. as she could never guarantee getting out of her driveway. When the church building is larger, larger groups can use the facility. The church has said their property value will not depreciate but their realtor told

them they made a 15 - 20% donation to CPC without a tax write-off. The four homes on 70th Street feel ignored.

Kirsten Teaple, 4717 West 28th Street, St. Louis Park, a CPC member made a plea for additional space the church needs. Shuttling back and forth between Cornelia and leaving their baby in the church in order to take a class is worrisome as well as difficult juggling car seats, etc. Socialization in the narthex is difficult at best with the tremendous overcrowding. She asked for approval of the expansion so families can take advantage of the programs.

Kurt Smith, 6600 West Shore Drive, a twenty year resident, said he is a real estate professional with a specialty in hotels, is licensed as a real estate broker, is a certified general real estate appraiser and operates a division of a management company that runs hotels. On a number of occasions he has been invited to do site location research studies. He has done a study on membership at Colonial Church and believes a parallel can be drawn to CPC. A mathematical model can be drawn of the service area of a church. The greatest draw to a church is in the immediate area; 60% come from within a 5 mile radius. He examined Colonial Church when it was on Wooddale Avenue and the new site on Tracy. The original site attracted members in a 3 mile radius in a circular shape vs the Tracy site which became elliptical. The expansion will exceed this community and no doubt reach south to the river and further to the north while most traffic will come off the expressway not through the neighborhood. The area east is primarily commercial, the north has a large recreational area and the rest is bounded by the expressways serving as barriers. The church is fortunate with its location. Expansion of the facility will not drive growth. In 1987 Colonial expanded 100% and lost 50% of their attendance. Mr. Smith has attended CPC and voiced concern with the safety of pedestrians walking in the street between parked cars on both sides and being followed by a car looking for a parking space.

Mayor Smith asked who should pay for the sidewalks. Mr. Smith said residents on 66th Street were assessed for sidewalk installation in 1997, but he believes the sidewalks are more for the greater community than only their street.

Kristi Kuehn, 4813 Upper Terrace, and a student at Gustavus Adolphus College equated the planned construction of the church expansion to the war-zone devastation St. Peter received from the April tornado. She asked that the small charming neighborhood be maintained and the neighbors be respected during construction.

Karol Schneider, 6905 West Shore Drive, works often at Cornelia School and opposes the expansion. The common denominator in the neighborhood is traffic with the encroachment of commercialism on all four sides as well as the unknown quality.

Bruce McPheeters, 4920 Poppy Lane, stated anyone can build parks or schools, but a vibrant church is an asset. He noted how many Edina churches had expanded over the years where CPC has not. The expansion will not be as large as some others and CPC's location near a highway is a plus. What a nice problem this expansion is to make a decision out of prosperity not out of adversity. When looking at the church across from Byerly's, a wrong message is given that churches are dead.

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Jan Doudiet, 5800 Long Brake Trail, moved to Edina 9 ½ years ago because of schools, community, the commute, shopping and church. A plus for CPC is its location on the perimeter of a neighborhood with access from Highway 100 and 70th.

Rick Cornelisse, 6633 Southcrest Drive, was told by his neighbors that the expansion issue would never get to the Council because the land issue would be resolved as it had been in the past. They were wrong. Two hundred residents have asked for no expansion but, yes to the dynamics of CPC. He said expansion is fine within the confines of the land.

Don Barck, 4807 West 70th Street, said four residents on the south side of CPC have a combined residency of 125 years. The church can expand, but he disagrees with the size of the curb cut and locating it right in front of his house. Planning Commission discussed leaving the curb cut intact or moving it further west. Traffic exiting the lot in the winter (with 16 hours of darkness) headlights shine directly into the Barck's windows. He asked that the curb cut be moved to the east side of his property.

Unidentified resident on 4816 Wilford Way, bought their home recently as it went on the market one month after CPC made their expansion plans known. The proposed expansion has been a wonderful way to meet neighbors. She daily observes two signs, 1) neighborhood meeting and a 2) Conditional Use Permit sign. She voiced concern that the safety and livability of the area be maintained during and after the construction.

Bill Hamer, 4709 Upper Terrace, an 18 year resident, stated strong churches are essential to the City. He quoted from the Star Tribune and the impact religion has on youth. This would be the first land use expansion in 40 years. Traffic is a serious problem and has been exacerbated with commercial expansion along 70th Street. He asked if the City has the responsibility to provide this type of facility for its residents. Mayor Smith says no it is the responsibility of the individual churches.

Joe Florenzano, 4712 West 70th Street, a 20 year resident, voiced concern with traffic. He attended Council 10 years ago on the same issue. Looking at the growth in Edina and the difficulty getting out of a driveway, where do you draw the line.

Therese Kakarias, 6825 West Shore Drive, an 8 year resident voiced concern with 1) safety because she has small children, 2) tremendous traffic for residents 24 hours a day, 3) CPC has the right to expand on their property, 4) neighborly of CPC to provide landscaping and use of low glare lighting, 5) not in families best interest to add more hard surface parking, 6) endless construction noise and dust and 7) increase in traffic affects their quality of life.

Sandy Kuehn, 4813 Upper Terrace, said her family has experienced the same growing pains as CPC. She suggested expanding the number of services. Cars backing up in lots is dangerous and her church asks families with small children to park on side streets near church. While she can appreciate all CPC's concerns, she disagrees with the taking of green space, traffic, shrinking of the neighborhood, and loss of homes. CPC have not been good neighbors, their property has dead grass, leaves have never been picked up, downed

branches from a storm were not cleaned up and there is rampant dandelion growth. The rental home on 69th and frontage road rarely shovels its driveway, garbage cans were left in the driveway for days, dogs roamed the neighborhood, and a car sat on the grass with a tarp partially covering it. The church has represented their property as an eyesore. Is it not hard to see why neighbors are unhappy. She further asked where are the 3,000 members when it is time to take care of their property. Ms. Kuehn said the plan discussed tonight involves only land south of West 69th Street causing removal of three homes and building of a parking lot and replaces nothing. Neighbors have no assurance CPC will come back with a plan. CPC has said they purchased the Marty property for subdivision, but CPC's representatives said a private individual is the purchaser. The spirituality of the church has nothing to do with the size of the building. Her husband is in real estate and has someone interested in the property and for use as a satellite church. CPC could add services, move the administrative offices to home they own and use office space for Sunday School. Why not smaller expansion within the footprint. Maybe its time to look for new church home.

Skip Nelson, 4816 Dunberry Lane, said Webster's definition of a neighborhood is an area where one lives next to another. Growing up in a neighborhood meant a place to play baseball and sell lemonade, today it is a comfortable place that provides security as neighbors become friends, as well as a quality of life issue. He challenged the Council to vote on their definition of neighborhood.

Suzanne Irene, 4817 Dunberry Lane, pointed out her home will be tremendously impacted with the expansion of CPC. She inquired of Member Faust if the controversy tonight now is the same as 10 years ago. Her recollection was that CPC said that they would not need anything more. Plantings promised 10 years ago for the site were never completed, or were never cared for and died out. When the promises were not kept there was no one from CPC to go to for help. She inquired if the Council would be available for neighborhood input if promises are not kept. She noted only one letter of correspondence had been dropped at her door from the church.

Mayor Smith said he was on the Council when the previous expansion took place. City staff monitors projects during construction and he has no recollection that residents were unhappy with the project.

Colleen and Margaret Gallagher, 6812 Brittany Road, live next to the home proposed to be purchased and subdivided. Their home was built in 1965 and is a 100 X 300 lot. A developer in 1973 attempted to purchase a portion of the lot. They did not sell it. The developer donated his property to the church. Their home has much glass and will, if the expansion occurs, look over CPC's parking lot. In 1989 a planned parking agreement was put in place to protect the neighborhood. It was never enforced.

Dean Kovack, 6817 Normandale Road, at the onset of this process, Ms. Bowles the church wanted to reduce services from 3 to 2, allowing for coffee time and adult education. The planned expansion would make his lot a corner lot. He did not buy a corner lot, nor does he want a street next to him with more traffic. A strong message is sent to a neighborhood if an entity buys homes for the sake of tearing them down. Everybody in Woodhill and south of

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70th will be directly affected. He met with the Pastor, a family friend and CPC member, and his wife and explained their concern with the lack of care of the rental property next door. Over a six week period he had to make many calls to finally get the job done. He cares for an elderly neighbors lot now and does not want the added responsibility of more CPC property. Mr. Kovack supports the proposal Steve Brown presented to the Council and reiterated he does not want to live on a corner lot.

Fred Little, 4725 Dunberry, a 14 year resident. sees the key issue as organizational change. CPC has been very successful, they have good leadership, and are projecting significant growth over the next several years and hats off to them. The church has changed and they are going through a space crunch. The Council should remember that this issue could come up again in 5 - 7 years. He suggested a satellite church be considered. Mr. Little reminded the Council that 200 signatures were gathered opposing the expansion.

Floyd Grabiell, 4817 Wilford Way, stated he has heard numerous comments on what CPC should do with their services. It is not the problem of the City but is internal church stuff. In defense of Mr. Jarvis, when he called Mr. Jarvis for a meeting, he came and explained the program and feels the church has been responsive with respect to their proposals. He wrote the Council in opposition to the April 1997 proposal and believe the church has moved a long way in response to neighbors concerns in terms of landscaping, design, etc. If the proposal presented tonight is recommended by the Planning Commission with conditions, it would be a plus for the neighborhood and he would be in favor of it.

Marsha Kuhn, 4813 Wilford Way, said she has had concerns but the church has done a great deal to change the minds of the everyone in the neighborhood in response to these concerns. One thing not responding to the neighborhood is the proposal to relocate 69th Street. The neighbors are saying expand the church on the site, but do not cross 69th Street. Parking in front of her home is all right. Edina has a lot of parking, i.e. Cornelia School, the industrial park, and in the Especially for Children's lot. While these may require busing, why not teach preservation of the environment and not over-pave the area.

Tom Carrico, 4816 Roycar Road, said his concern is with stormwater drainage on the site with the expansion from 1% to 8% of the site. Engineer Hoffman said the issue is being studied. Mr. Carrico was disturbed CPC would still need to have police for traffic control on Sunday mornings. He supports the petition presented and worries the parking agreement completed in 1989 will be thrown away, that shows the spaces allowable on the site for parking. If the 1989 agreement is adhered to CPC should have adequate space to expand.

John Mitchell, 4809 West 66th Street, after growing up in the area, the schools and churches in the area brought him back. 70th Street cut through traffic is not compounded by the churches use. He sees the proposal as greatly enhancing safe parking within the site and not City streets with no sidewalks. His family has attended every meeting held and issues have changed, in terms where CPC has tried to address concerns from of the neighborhood. Access on 69th Street to Brittany has improved in the plan presented tonight. In terms of a dedicated street with the relocation works for emergency vehicles and the neighborhood. At a meeting on a Saturday, called for input from neighbors, a question was posed about what

was going to happen on the north side; and would CPC continue marching up the hill. Being a CPC member and a resident of the neighborhood is awkward, but when questioned, he responded, 1) the church is perceived as a moving target, residents need a solution, i.e. purchase of Marty property and two new lots developed will only be beneficial, 2) CPC has not been the best neighbor, but the proposed plan with irrigation is a tremendous improvement, 3) church growth has historically taken in the same number of new members from Edina as from neighboring communities, 4) this is an intensive process for everyone, the Planning Commission and staff have done a good job and asked endorsement of the Planning Commission's recommendation.

Marty Probst, 6629 Brittany Road, said many promises have been broken in the past and he has heard tonight that all on-street parking would be eliminated with the plan presented. CPC currently has 350 parking spots for a 300 seat sanctuary admittedly a serious problem. Scores of people are bussed from Cornelia for 3 services. If CPC is allowed to expand by three times to 950 plus, but only increase parking by 200 spots a problem exists today. When there are only two services the ratio is much worse. With the current building expansion and with 2 services, CPC would be at capacity immediately, forgetting future growth. Mr. Probst projected CPC would need to purchase 8-10 homes for their future expansion.

COUNCIL COMMENT:

Mayor Smith thanked everyone for their presentation and respect to the process. His belief is that the City's business is done during Council meetings and he has not met with anyone over the issue in advance. On one occasion he chatted at length with Pastor John Crosby of Christ Presbyterian about his successful church. Mayor Smith presented pictures of a full parking lot on a Tuesday morning at CPC and said CPC is obviously doing something right. Pastor Crosby said the Tuesday morning group is a community-wide Bible Study Fellowship. This would be the largest "peak" during the week for church usage.

Member Hovland asked if the two new lot dimensions are satisfactory to the City. Planner Larsen said on initial review of the four lot subdivision, (two old lots and creation of two new lots) three of the four would require lot width variances but would meet lot depths. No staff report has been completed on the lots as the application has just recently been received. Member Hovland asked how much of a variance would be considered. Planner Larsen said the neighborhood standard is 90 feet width and the proposed lots are 83-85 feet in width. Member Hovland inquired whether there are other 83-85 foot lots in the neighborhood. Planner Larsen said he believes there are but the application has not been reviewed. Straight north of the property, along the frontage road and Brittany lots are quite large, moving east lots are smaller and more uniform.

Member Hovland inquired if the association has made their proposal to the church. Steve Brown answered no. Member Hovland stated the proponents saw the association plan at the same time the Council did. Member Hovland asked Mr. Brown the Association's view of a parking ramp. Mr. Brown said it was suggested to cap membership at CPC, in his view it has been capped by 69th Street as they presented. The Association has not discussed a ramp and he personally would not favor a ramp, i.e. safety, cost and a commercial type of density. More cars on the site is the crux of their opposition.

Member Hovland asked for more information on 69th Street landscaping reaching to the top of the hill, south. Mr. Jarvis reiterated there would be extensive landscaping and it was an oversight that it was not depicted on the drawing. Member Hovland asked about residents on West 70th left out of the landscaping plan. Mr. Jarvis said he isn't sure they were left out. The most change is to Mr. Kovak. The next door neighbor has a driveway dead-center on their home. The proposal, as drawn, moves the driveway one lot east taking it off that property and aims it at the Kovak home. They believe, after conversations with Mr. Kovak, that headlights shining into the Barck home can be mitigated with spruce trees. If the proposal is approved and if the curb cut negatively affects other neighbors, additional landscaping could be provided. Mr. Jarvis noted the driveway move is in response to staff and his concern that not enough space remains between the intersection and the frontage road to the south. Member Hovland voiced concern with the Kovacs property being made a corner lot. Mr. Jarvis said by moving the road approximately 80 feet north on the east side and 120 feet north on the west, the church owns up to the Kovac property which is at a different north/south line than all lots on the east side of the subdivision by accident of 1950's platting. Mr. Kovacs lot does become a corner lot, but landscaping will go a long way in mitigating intrusion. Member Hovland inquired whether the property will diminish in value because the road is 80 feet closer to his property. Mr. Jarvis noted that many realtors believe corner lots are larger and more valuable. He said CPC has not spoken to Mr. Kovak about the diminution of value of his property. Mr. Kovak said since the church purchased the home, of the three families that lived there two have had young children which has been a plus for playmates. He resents the loss of homes and having to drive to find playmates for his children. The corner lot on the frontage road puts his children even closer to the street. Member Hovland asked if the home next to his home was on the market for over a year until the church bought it. Mr. Kovak answered no. Member Hovland asked if the new road would be built before the old one is demolished. Engineer Hoffman noted that is the intent. Member Hovland asked if sidewalk installation is being considered in the Woodhill neighborhood. Steve Brown said none have been considered.

Member Faust thanked residents for their letters and interest in government. CPC is a wonderfully respected part of the community and she is willing to consider their expansion. She has studied the church for 10 years and has not changed her opinion. The church should not expand beyond 69th Street. They can expand on their site and infringing on the neighborhood is unfair. She would vote to preserve the neighborhood.

Member Maetzold said he supports the recommendation of the Planning Commission with the exception of the curb cut on 70th Street. Much thought has been given to this proposal over the past year and it comes to, 1) the development conforms to the Comprehensive Plan, 2) addition of the most extensive landscaping plan he has ever seen, 3) concept of parking cars on site and off streets is positive, 4) nothing was heard from the neighbors about the expansion adversely affecting neighborhood regarding traffic, 5) 69th Street layout is positive, and has no suggestion to alleviate creation of the corner lot, and 6) the plan as presented caps the development with the proposed Development Agreement between HRA and the Church. He supports the expansion proposal.

Member Hovland said this is a difficult decision. He read the City Code regarding Conditional Use, by definition it is, "use which is generally not suitable in a particular zoning district, may under some circumstances and subject to conditions be suitable in a particular district." He wondered what are the circumstances and conditions a permit may be issued. Code Section 850.04 Subd. 4E has a seven part test:

1. Will promote and enhance the general public welfare and will not be detrimental to or endanger the public health, safety, morals and general welfare. He believes churches play a vital role in enhancing the general welfare of a community. Safety is enhanced with the expansion, and with the parking ban proposed on the new West 69th Street, West 70th Street and no parking would be allowed in neighborhoods during the week, but would be allowed on Sundays.
2. Will not cause undue traffic hazards, congestion or parking shortages. He believes CPC has adequately evaluated parking needs. He believes undue traffic hazards will not be created with the expansion.
3. Will not be injurious to the use and enjoyment, or decrease the value, of other property in the vicinity, and will not be a nuisance. He does not want any property to be diminished with the expansion. He is concerned with the Kovak property. In correspondence received from the neighbors, they are concerned with their property being diminished also. The assessor could find no proof homes were diminished in value near a church in other Edina locations. Homes sold in the West Shore area recently had regular increases in value since 1995. He believes the location of CPC is ideal next to the freeway and on a minor arterial roadway.
4. Will not impede the normal and orderly development and improvement of other property in the vicinity. This item does not apply.
5. Will not create an excessive burden on parks, streets and other public facilities. Member Hovland said he sits on the I-494 Corridor Commission and traffic volumes are increasing all over. He feels traffic burden in the Woodhill neighborhood is not excessive and the church will not play a significant role traffic on 70th Street.
6. Conforms to the applicable restrictions and special conditions of the district in which it is located as imposed by this Section. Member Hovland felt it conforms,
7. Is consistent with the Comprehensive Plan. He believes it is.

Member Hovland said he was concerned about the location of the curb-cut on the frontage road and finds there is one. The Tuesday traffic situation could have better management internally on CPC's lot. Perhaps banning right hand turns out of the curb cut on West 69th Street and reroute them up the frontage road to 66th Street and around, or onto 70th, rather than through the neighborhood. The neighborhood should consider sidewalks also. He was concerned about the lack of landscaping to protect the house at the corner of Brittany and Dunberry after the road is moved but finds that will be done. The church has not been a good caretaker of its property and he feels the neighborhood will benefit with the church getting out of the rental business. He encouraged a compromise solution and would be in favor of the proposed expansion with the conditions.

Member Kelly echoed Council comments. Many times the Council struggles with a lack of information, this time it is not the case. He views the proposal as a land use issue and conditional use permits should be viewed as an exception to the rule. He has to be

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comfortable that justification exists for an exception to the rule and that all efforts have been taken to resolve the matter that would not require an exception. He does not believe this has been done. Member Kelly spoke to the graphic presented previously by Planner Larsen as follows:

CHURCH COMPARISON

CHURCH	OVERALL SIZE OF CHURCH BUILDINGS	SANCTUARY SEATING NO. & SQUARE FOOTAGE	PARKING: NUMBER OF STALLS	SITE SIZE
CHRIST PRESBYTERIAN	130,000 (71,000)	#951 (648) S.F 15,000 (10,000)	541 (350)	8.1 ACRES (6.8)
GRACE CHURCH	97,000	#1,100 S.F. 12,000	610	7.3 ACRES
OUR LADY OF GRACE	103,000 54,000*	\$1,000 S.F. 10,000	500	21 ACRES
COLONIAL	85,000	#1,000 S.F. 12,000	675	22 ACRES
ST. PATRICKS	70,000	#1,200 S.F. 12,100	400	13+ ACRES

() = Existing Church

* = Church

He said upon examination, he came up with opposite conclusions: 1) 7300 block of West Shore Drive is not Woodhill and is not impacted, in his opinion. 2) St,. Patrick's Church is half the size of the planned expansion of CPC on a lot twice the size, 3) CPC is asking to build the largest church in Edina, substantially larger than Our Lady of Grace, including the school. This is not minimizing an exception, it is over-building a site. CPC claims in order to seat 951 members, they need a sanctuary that is 15,000 s.f. which seems very generous and to him is closer to 19,000 s.f. The square footage is more than Grace, Our Lady of Grace, Colonial, or St. Patrick's need to seat in excess of 1000 members. He has real concern with the design of the facility and whether it maximizes the site. If square footage of the sanctuary and floor below the sanctuary are added together, it is essentially two sanctuaries. Member Kelly says meaningful compromise seems to be lost. The landscaping looks terrific and the 6% reduction in gross building area is appreciated, but it needs further reduction. He has heard residents say they do not object to the expansion, they object to having the largest church in Edina on the smallest lot. CPC should look at the existing space and not give the Woodhill neighborhood a Hobson's choice, each of which would be unpalatable. He could not support the proposal in its present form.

Mayor Smith said since he has been in office, he has spoken of the idea of "growing small" or how can we impact government. One resident asked how the Council felt about facilitating church growth as a government official. Opportunities have come forth when City churches have put their properties up for sale for multi-story office buildings. It is not the City's job to help the church sell their property to maximize their return. He voiced objection with the impact on the neighborhood. Mayor Smith said 1) he commiserates with the neighbor being forced to have a corner house and therefore into a different tax structure, 2) it bothers him that the promises to a resident about landscaping and cleaning up of church property have

not been kept, but CPC is so honest they admit they have not been good landlords, and 3) he is happy there is a process to follow for the Planning Commission, the residents and the Council. The way the process has worked so far tonight, there are two votes for and two votes against. He said he could vote not because he is not happy with where we are at this point, there are things the church can do and suggested his willingness to allow them the time needed. Mayor Smith said he sincerely believes a meaningful compromise can be reached.

Peter Jarvis said reconsideration is better than a no vote. He said he needs a definition of compromise. What he has heard is the church, has the support of the neighborhood as long as nothing happens north of 69th Street. He doesn't understand how that is compromise, unless the definition of compromise is that irrespective of property ownership either for a year or 15 years a line 85 feet up the road is the end of the road for that neighborhood. To continue this proposal for 60 days is like a year from a construction standpoint. Tonight was the first time the neighborhood has presented a proposal. They suggested a two week continuance and would return at that meeting with a status report. Extending action into June would create a problem with the delivery of steel, and any construction would need to be in winter, but this is not the Council's problem.

Mayor Smith emphasized that conversations be held with neighbors to the site regarding headlights and landscaping. He offered that trees do not make a good compromise, the mass is too big. He suggested the matter be continued to June 1.

Planner Larsen pointed out the 120 days to act on the proposal expires on June 12, 1998. Attorney Gilligan noted approval would have to be given to extend action beyond June 12.

Steve Brown said a two weeks or four weeks would be fine with the Association to receive a status report from the proponent but he does not know if the church will entertain any other direction.

Member Kelly again reminded everyone that meaningful change is necessary.

Member Faust reminded Council she would not be attending the May 18, 1998, meeting.

Mayor Smith suggested continuing the meeting to June 1 to receive a status report from Christ Presbyterian Church.

Member Kelly made a motion to continue the consideration of the Conditional Use Permit for Christ Presbyterian Church, 6901 Normandale Road, Building and Parking Lot Expansion, generally located north of West 70th Street and East of Highway 100 and the vacation of a portion of West 69th Street until June 1, 1998. Member Faust seconded the Motion.

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

FINAL PLAT APPROVED FOR COVENTRY AT CENTENNIAL LAKES NINTH ADDITION - LAUKKA JARVIS, INC. Affidavits of Notice were presented, approved and ordered placed on file.

Planner Larsen explained the proposed plat would approve building 10, a 13 unit building in the Centennial Lakes Ninth Addition for Laukka Jarvis, Inc. Approval would mean that 87 units of the 98 unit development have been approved for construction. The proposed plan is consistent with the approved overall development plan.

Member Hovland left the Council Chambers at 1:49 A.M.

Member Faust introduced the following resolution and moved its adoption:

**RESOLUTION APPROVING FINAL PLAT
FOR THE COVENTRY AT CENTENNIAL LAKES 9TH ADDITION:**

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, that that certain plat entitled, "THE COVENTRY AT CENTENNIAL LAKES 9TH ADDITION", platted by Centennial Land Partnership, a Minnesota limited partnership, an undivided 91.43% interest, and John W. Hedberg, an undivided 8.57% interest, and the Housing and Redevelopment Authority of Edina, Minnesota, public body corporate and politic under the laws of the State of Minnesota, and presented at the regular meeting of the City Council on May 4, 1998, be and is hereby granted final plat approval. Member Kelly seconded the motion.

Rollcall:

Ayes: Faust, Kelly, Smith

Abstaining: Maetzold

Resolution adopted.

***LOT DIVISION APPROVED FOR JMS EQUITIES (4908-4910 MALIBU DRIVE)** Member Maetzold introduced the following resolution, seconded by Member Faust and moved its adoption:

RESOLUTION

WHEREAS, the following described property is at present a single tract of land:

Lot 1, Block 1, LANDMARK ADDITION, Hennepin County, Minnesota, and

WHEREAS, the owners have requested the subdivision of said tract into separate parcels (herein called "Parcels") described as follows:

PARCEL A:

That part of Lot 1, Block 1, LANDMARK ADDITION, Hennepin County, Minnesota, according to the recorded plat thereof lying northerly of a line which bears North 53 degrees 38 minutes 06 seconds East, assumed bearing, from a point on the west line of said lot distant 28.05 feet north of the southwest corner of said lot. For purposes of this description the west lot line bears South 2 degrees 25 minutes 13 seconds East.

PARCEL B:

That part of Lot 1, Block 1, LANDMARK ADDITION, Hennepin County Minnesota, according to the recorded plat thereof lying southerly of a line which

bears North 53 degrees 38 minutes 06 seconds East, assumed bearing, from a point on the west line of said lot distant 28.05 feet north of the southwest corner of said lot. For purposes of this description the west lot line bears South 2 degrees 25 minutes 13 seconds East.

WHEREAS, the requested subdivision is authorized under Code Section 810 and it has been determined that compliance with the Subdivision and Zoning Regulations of the City of Edina will create an unnecessary hardship and said Parcels as separate tracts of land do not interfere with the purpose of the Subdivision and Zoning Regulations as contained in the City of Edina Code Sections 810 and 850;

NOW, THEREFORE, it is hereby resolved by the City Council of the City of Edina that the conveyance and ownership of the separate above described Parcels as separate tracts of land is hereby approved and the requirements and provisions of Code Sections 850 and 810 are hereby waived to allow said division and conveyance thereof as separate tracts of land but only to the extent permitted under Code Section 810 and Code Section 850 subject to the limitations set out in Code Section 850 and said Ordinances are not waived for any other purpose or as to any other provisions thereof, and further subject, however, to the provision that no further subdivision be made of said Parcels unless made in compliance with the pertinent ordinances of the City of Edina or with the prior approval of this Council as may be provided for by those ordinances.

ADOPTED this 4th day of May, 1998.

Motion carried on rollcall vote - five ayes.

*LOT DIVISION APPROVED 6608 AND 6612 PARKWOOD ROAD (WILLIAM AND MARGARET JOAS) Member Maetzold introduced the following resolution, seconded by Member Faust and moved its adoption:

RESOLUTION

WHEREAS the following described tracts of land constitute separate parcels:

PARCEL A:

Lot 7, Block 1, PARKWOOD KNOLLS 2nd Addition, Hennepin County, Minnesota.

And

PARCEL B:

Lot 8, Block 1, PARKWOOD KNOLLS 2ND Addition, Hennepin County, Minnesota.

WHEREAS, the owners of the above tracts of land desire to divide said tracts into the following described separate parcels:

PARCEL A:

Lot 8, Block 1, PARKWOOD KNOLLS 2ND ADDITION, Hennepin County, Minnesota, according to the recorded plot thereof

and

That part of Lot 7, Block 1, PARKWOOD KNOLLS 2ND ADDITION, Hennepin County, Minnesota, according to the recorded plat thereof, lying westerly of a line drawn from a point on the northerly line of said Lot 7, distant 11.00 feet southeasterly from the most northerly corner of said Lot 7, thence southwesterly to the most westerly corner of said Lot 7,

and

PARCEL B:

Lot 7, Block 1, PARKWOOD KNOLLS 2ND ADDITION, Hennepin County, Minnesota, according to the recorded plat thereof, except that part of said Lot 7, lying westerly of a line drawn from a point on the northern line of said Lot 7, distant 11.00 feet southeasterly from the most northerly corner of said Lot 7, thence southwesterly to the most westerly corner of said Lot 7.

WHEREAS, it has been determined that compliance with the Subdivision and Zoning Regulations of the City of Edina will create an unnecessary hardship and said Parcels as separate tracts of land do not interfere with the purpose of the Subdivision and Zoning Regulations as contained in the City of Edina Code Section 810 and 850.

NOW, THEREFORE, it is hereby resolved by the City Council of the City of Edina that the conveyance and ownership of said Parcels as separate tracts of land is hereby approved and the requirements and provisions of Code Section 810 and Code Section 850 are hereby waived to allow said division and conveyance thereof as separate tracts of land but are not waived for any other purpose or as to any other provision thereof, and subject, however, to the provision that no further subdivision be made of said Parcels unless made in compliance with the pertinent ordinances of the City of Edina or with the prior approval of this Council as may be provided for by those ordinances.

ADOPTED this 4th day of May, 1998.

Motion carried on rollcall vote - five ayes.

***HEARING DATE SET OF MAY 18, 1998, FOR FINAL REZONING AND FINAL PLAT APPROVAL - NAMRON COMPANY (51xx LINCOLN DRIVE)** Motion made by Member Maetzold and seconded by Member Faust setting May 18, 1998, as hearing date for final rezoning and final plat approval for Namron Company at 51XX Lincoln Drive.

Motion carried on rollcall vote - five ayes.

ORDINANCE NO 1998-4 ADOPTED - AN ORDINANCE AMENDING CODE SECTION

460 - SIGNS Planner Larsen indicated the proposed amendment to Sign Ordinance Section 360 addresses two different issues. First, the amendment establishes standards for scoreboards within public parks, school properties and golf courses. The proposed standards provide for integral sponsor panels only at Braemar Park, Van Valkenburg Park and Kuhlman Field. Park Director Keprios has furnished a memo to be discussed later on the agenda with additional information. Second, the amendment provides language addressing the permitted locations for campaign signs. The proposed amendment was presented initially at the April 20, 1998, Council meeting and is before the Council with minor changes. Staff recommends adoption of the amendment.

Member Maetzold made a motion to adopt Ordinance 1998-4, an Ordinance Amending Code Section 460 - Signs with waiver of second reading as follows:

ORDINANCE NO. 1998-4

**AN ORDINANCE AMENDING SECTION 460
OF THE CITY CODE TO PROVIDE REQUIREMENTS FOR
SIGNS IN PUBLICLY OWNED PARKS AND TO**

REGULATE THE PLACEMENT OF CAMPAIGN SIGNS

THE CITY COUNCIL OF THE CITY OF EDINA ORDAINS:

Section 1. Subd. 1 of Subsection 460.05 of the City Code is amended by adding the following regulations:

<u>"TYPE</u>	<u>MAXIMUM NUMBER</u>	<u>MAXIMUM AREA</u>	<u>MAXIMUM HEIGHT</u>
Public Park Identification SCOREBOARDS:	One per frontage	24 sq. .ft.	6 ft.
A. Field #1 (Courtney Fields)	One	400 sq. ft. (including sponsor panels	20 ft.
B. Van Valkenburg Park, Kuhlman Field and Braemar Park except Field #1 at Courtney Fields	One per field	200 sq. ft. (including sponsor panels)	20 ft.
C. All other public parks, schools and golf courses	One per field	100 sq. ft.	20 ft.
Public park scoreboard sponsor panels and other scoreboard advertising		25% of scoreboard area"	

Section 2. Subsection 460.03 of the City Code is amended by adding a new Subd. 24 as follows:

"Subd. 24. Scoreboard Sponsor Panels. Sponsor panels and other forms of advertising on scoreboards are permitted only at Braemar Park, VanValkenburg Park and Kuhlman Field. Scoreboard sponsor panels and other advertising on scoreboards shall be integral to the scoreboard and shall be constructed of the same materials as the scoreboard."

Section 3. Paragraph A of Subd. 3 of Subsection 460.03 of the City Code is amended to read as follows:

"A. No sign shall be placed within any street right-of-way other than, i) governmental signs which are official traffic regulatory signs or, ii) campaign signs placed pursuant to Subd. 4 of this Subsection."

Section 4. Paragraph B of Subd. 3 of Subsection 460.03 of the City Code is amended to read as follows:

"B. No freestanding sign or any portion thereof other than governmental signs shall be placed within 20 feet of the traveled portion of any public street provided that campaign signs placed pursuant to Subd. 4 of this Subsection may be placed to within 10 feet of the traveled portion of a public street."

Section 5. Subd 4 of Subsection 460.03 is amended to read as follows:

"Subd. 4. Campaign Signs. Campaign signs shall comply with the following requirements:

- A. Campaign signs may be posted from August 1 in a state general election year until 10 days following the state general election subject to the applicable provisions of M.S. 211B.045. Such campaign signs shall conform with the

provisions of Subd. 3 of Subsection 460.03. No such sign shall be placed upon the right-of-way without the consent of the abutting property owner.

B. Campaign signs posted in connection with elections held at times other than a state general election are subject to the following:

- i) Maximum Size - six square feet
- ii) Maximum Number - one sign for each candidate per lot frontage
- iii) Maximum Duration - 60 days prior to the election until seven days following the election.
- iv) Location - Such campaign signs shall conform with the provisions of Subd. 3 of Subsection 460.03. No such sign shall be placed upon the right-of-way without the consent of the abutting property owner."

Section 6. This ordinance is in full effect upon passage and publication.

Member Kelly seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Ordinance adopted.

*BID AWARDED FOR TRAFFIC ACTUATED CONTROL SYSTEM - WEST 76TH STREET (IMP. TS-24) Motion made by Member Maetzold and seconded by Member Faust for award of bid for traffic actuated control system at West 76th Street, Improvement No. TS-24, to recommended low bidder, Ridgedale Electric, Inc., at \$110,400.00.

Motion carried on rollcall vote - five ayes.

*BID REJECTED FOR IRRIGATION SYSTEM - WEST 66TH STREET BETWEEN FRANCE AND YORK AVENUE (IMP. WM-385) Motion made by Member Maetzold and seconded by Member Faust to reject the bid for the remaining irrigation system work at West 66th Street between France and York Avenues (IMP. WM-385).

Motion carried on rollcall vote - five ayes.

*BID AWARDED FOR AQUATIC WEEK TREATMENT Motion made by Member Maetzold and seconded by Member Faust for award of bid for aquatic weed treatment for weed and algae control on 34 City lakes and ponds to recommended low bidder, Lake Restoration, Inc., at \$16,737.00.

Motion carried on rollcall vote - five ayes.

*RESOLUTION AUTHORIZING SIGNAL EASEMENT - YORK AVENUE AT EDINA LIQUOR STORE/CUB FOODS ENTRANCE Motion made by Member Maetzold, seconded by Member Faust and moved adoption:

RESOLUTION
GRANTING SIGNAL EASEMENT
TO HENNEPIN COUNTY
YORK AVENUE

BE IT RESOLVED that the Edina City Council hereby grants a signal easement to Hennepin County as follows:

"A permanent signal easement for signal purposes over the south ten meters (32.81 feet) of the West five meters (16.40 feet) of Lot 1, Block 1, YORKDALE SHOPPES, according to the duly recorded plat thereof."

BE IT FURTHER RESOLVED that the Mayor and City Manager are authorized to sign the aforementioned easement.

Adopted this 4th day of May, 1998.

Motion carried on rollcall vote - five ayes.

***WOODDALE PARK COMFORT STATION APPROVED** Motion made by Member Maetzold and seconded by Member Faust approving the Park Board recommendation as follows: "That per the neighborhood's suggestion we try portable toilets this summer and see how it works and we will review it at the end of the summer and stop construction of the permanent facility at Wooddale Park."

Motion carried on rollcall vote - five ayes.

BASEBALL SCOREBOARD ADVERTISING FOR COURTNEY BALL FIELD AT BRAEMAR PARK APPROVED Director Keprios explained at the April 14, 1998, Park Board meeting, the Edina Baseball Association made a proposal to raise funds through the sale of sponsor panels to replace four scoreboards at the Courtney ballfields in Braemar Park.

One concern voiced by staff at the Park Board meeting was the size of the scoreboard being proposed for field #1 (9'4" x 36"). Currently the scoreboard on field # is 5' x 16'. Following a discussion, the Park Board voted to unanimously approve the large scoreboard and the proposed advertising concept for all four scoreboards.

The Board's recommendation is consistent with Council's two-year trial basis - fund-raising through advertising - policy. Each advertising proposal requires prior approval of the Council, in accordance with City policy.

Previously in the meeting, Ordinance No. 1998-4, an Ordinance Amending Section 460 - Signs, was adopted allowing advertising on certain scoreboards in the City.

Member Hovland made a motion approving advertising as a means of fund raising to replace the four scoreboards at Courtney ballfields in Braemar Park, and to include the large scoreboard on field #1. Member Kelly seconded the motion.

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

***TERMINATION OF TRAFFIC AGREEMENT FOR CENTENNIAL LAKES APPROVED** Motion made by Member Maetzold, seconded by Member Faust approving termination of Traffic Agreement for Centennial Lakes in Edina and the Minnesota Center in Bloomington.

Motion carried on rollcall vote - five ayes.

***TEAMSTERS LOCAL #320 (PATROL OFFICERS) APPROVED** Motion made by Member Maetzold, seconded by Member Faust approving Teamsters Local #320 (Patrol Officers) Labor Agreement effective January 1, 1998, through December 31, 1999.

Motion carried on rollcall vote - five ayes.

Minutes/Edina City Council/May 4, 1998

***PUBLIC WORKS OPEN HOUSE MAY 16, 1998 (9:00 A.M. - 1:00 P.M.)** Motion made by Member Maetzold, seconded by Member Faust acknowledging the Public Works Open House on May 16, 1998, from 9:00 A.M. - 1:00 P.M. as part of National Public Works Week in the month of May.

Motion carried on rollcall vote - five ayes.

CLAIMS PAID Member Maetzold made a motion to approve payment of the following claims as shown detail on the Check Register dated May 1, 1998, and consisting of 31 pages: General Fund \$361,489.34; Communications \$4,054.13; Working Capital \$55,194.08; Art Center \$16,639.66; Golf Dome Fund \$209.36; Swimming Pool Fund \$4,469.42; Golf Course Fund \$71,141.99; Ice Arena Fund \$1,895.29; Edinborough/ Centennial Lakes \$14,803.61; Utility Fund \$54,594.05; Storm Sewer Utility Fund \$776.40; Liquor Dispensary fund \$163,353.13; Construction Fund \$3,472.51; Park Bond Fund \$133,550.95; I-494 Commission \$4,178.60; TOTAL \$889,822.52. Member Hovland seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

There being no further business on the Council Agenda, Mayor Smith declared the meeting adjourned at 2:05 A.M.

City Clerk